

Notice of Allowability

Application No.

09/337,737

Examiner

Nga B. Nguyen

Applicant(s)

ISHIDA ET AL.

Art Unit

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE filed on February 28, 2007.
2. ☒ The allowed claim(s) is/are 1-23 and 36.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. This Office Action is the answer to the RCE filed on February 28, 2007, which paper has been placed of record in the file.
2. Claims **1-23** and **36** are pending in this application.

Allowable Subject Matter/Reasons for Allowance

3. Claims **1, 10, 17** and **36** are allowed over the prior arts cited records.

The closest prior arts are:

1) Van De Pavert (US 5,914,471) discloses "a method of recording usage data of a card-operated device, such as a public telephone set or a vending machine. In particular, usage data, such as totalized charges, is stored in a storage unit associated with the device" (Abstract). In Van De Pavert's FIG. 2, clearly the card 1, including the memory 10 that has a counter 15 and a register 17, fails to disclose, expressly or implicitly, the claimed "an electronic cashing card having a non-authentication money processing memory' and "an authentication money processing memory" for "updating an authentication money balance stored in a money balance area of the authentication money processing memory on the card_and for updating_a non-authentication money balance stored in a money balance area of the non-authentication money processing memory, on the card."

2) Boyer (US 6,208,973) discloses the cobranded payment card preferably carries two balances, one for standard transactions (retail, travel, entertainment, etc.) and one for healthcare purchase (doctors, hospitals, pharmacies, optical, dental, etc.).

However, Boyer FIG. 3, step 100, discusses issuing a cobranded healthcare/payment card to a patient and Boyer column 7, line 6, discusses "Generally, the healthcare balance carries a favorable interest rate." Therefore, although Boyer column 7, lines 1-5 refers to the card carrying two balances, it is clear that Boyer refers to two account balances at a bank, which differs from the present claimed invention "an electronic cashing card having a non-authentication money processing memory and an authentication money processing memory' to store respectively "an authentication money balance" and "a non-authentication money balance." The claimed invention "authentication money_balance" has "a requirement for a personal authentication." In other words, Boyer is silent on providing "non-authentication money processing memory" and "non-authentication money processing memory" on an "electronic cashing card' to store on the card "an authentication money balance" and "a non-authentication money balance." Clearly, Boyer is silent on "updating an authentication money balance stored in a money balance area of the authentication money processing memory on the card_and for updating_a non-authentication money balance stored in a money balance area of the non-authentication money processing memory, on the card," because Boyer does not discuss various money balance memory areas on a card.

3) Yanagihara (US 6,370,517) discloses "an electronic money card, in which a storage section of the card has an area for storing a restricting condition for the withdrawal of electronic money and in which a logic is provided so that a user is allowed to read or write the electronic money stored in the electronic money card based on such condition." Therefore, Yanagihara discusses setting usable limits of electronic money

Art Unit: 3692

that users of the card can withdraw on a user basis. Yanagihara, FIG. 6 discloses usable limits for regular usage (213) and usage 1 (217) and usage 2 (221) - see column 3, lines 11-30 and column 5, lines 10-60). In the comparison in Yanagihara refers to obtaining an amount of electronic money 208 withdrawable from the electronic money card 106 within the usable limit 213, 217 or 221 and comparing the obtained amount with both the electronic money balance and the useable limit 213. Therefore, the feature "comparing the non-authentication money and the authentication money balances on the card and determining that an illegal process has been performed with the card when the non-authentication money balance is larger than the authentication money balance" is clearly not present in Yanagihara's comparison. The "authentication money balance" on the card is a balance of electronic money on the card "having a requirement for a personal authentication," which differs from Yanagihara's usage limit comparison. Further, Yanagihara fails to discuss anywhere "updating the non-authentication money balance to an amount less than or equal to the stored authentication money balance when the transaction is settled by the authentication process."

Therefore, it is clear from the description of Van De Pavert's, Boyer's and Yanagihara's inventions that the prior arts do not considered the possibility of: updating an authentication money balance stored in the authentication money processing memory on the card and a non-authentication money balance stored in the non-authentication money processing memory on the card, the authentication money balance being updated to a balance amount after settlement when a transaction is settled by an authentication process having a requirement for a personal authentication

Art Unit: 3692

to be matched, the non-authentication money balance being updated to an amount less than or equal to the stored authentication money balance when the transaction is settled by the authentication process, as included in claims 1, 10, and 17; updating a non-authentication money balance that is stored on a card to an amount less than or equal to an authentication money balance that is stored on the card, after an authenticated transaction settlement with the card, as included in claim 36.

4. Claims (2-9), (11-16) and (18-23), are allowed because they are dependent claims of the allowable independent claims 1, 10 and 17 above, in that order.

Conclusion

5. Claims **1-23** and **36** are allowed.
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (571) 272-6796. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard E. Chilcot can be reached on (571) 272-6777.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3600.

7. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Art Unit: 3692

C/o Technology Center 3600

Washington, DC 20231


Or faxed to:

(571) 273-8300 (for formal communication intended for entry),

or

(571) 273-0325 (for informal or draft communication, please label
"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Knox Building, 501 Dulany
Street, Alexandria, VA, First Floor (Receptionist).


NGA NGUYEN
PRIMARY EXAMINER

March 30, 2007